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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/826,796	04/16/2004	Robert C. Miller	SNDK.379US0	1469

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PARSONS HSUE & DE RUNTZ LLP  
595 MARKET STREET  
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SAN FRANCISCO, CA 94105

EXAMINER
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PHAN, RAYMOND NGAN

ART UNIT	PAPER NUMBER
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2111

DATE MAILED: 10/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/826,796	<b>Applicant(s)</b> MILLER ET AL.	
	<b>Examiner</b> Raymond Phan	<b>Art Unit</b> 2111	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 July 2006.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-10 and 22-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-10 and 22-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>07112006</u> . | 6) <input type="checkbox"/> Other: _____  |

**Part III DETAILED ACTION**

***Notice to Applicant(s)***

1. This action is responsive to the following communications: remark filed on July 7, 2006.
2. This application has been examined. Claims 1-10, 22-24 are pending

***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. § 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-10, 22-24 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Le (US No. 6,890,188) in view of Schnell et al. (US No. 6,234,810).

In regard to claim 1, Le discloses a memory card system 61, comprising: an enclosed electronic circuit card having first 65 and second 64 sets of electrical contacts with different contact patterns positioned apart from each other along a length of the card such that they mate with a respective one of first and second mating receptacles but not the other (see figure 7), at least the first set of contacts 65 being carried by an outside surface of the card (see figure 7), a re-programmable non-volatile memory 72 that is operably connected to transfer data between the memory and outside of the card with different signal protocols through either of the first or second sets of contacts without use of the other (see figure 7, col. 9, lines 10-23); a cover 39 carried by the card and rotatable by hand between at least first and second positions, the first set of contacts being covered when the cover is in the first position and exposed for insertion into the first mating

receptacle when the cover is in the second position (see figure 4B, col. 7, lines 1-23) But Le does not specifically disclose a cover carried by the card and rotatable by hand between at least first and second positions about an axis extending across a width of the card. However Schnell et al. disclose a cover 17 carried by the card and rotatable by hand between at least first (i.e. open) and second positions (i.e. closed) about an axis extending across a width of the card (see figure 1, col. 3, lines 22-64). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Schnell et al. within the system of Le because it would optimize guiding geometry which reduce longitudinal dimension.

In regard to claim 2, Le discloses wherein the first set of contacts has a contact pattern and signal protocol therethrough that follows a USB standard (see figure 7, col. 8, lines 53-60).

In regard to claim 3, Le discloses wherein the second set of contacts has a contact pattern and signal protocol therethrough that follows a memory card standard (see figure 7, col. 8, lines 57-61).

In regard to claim 4, Le discloses wherein the memory card standard is a SD card standard (see col. 5, lines 5-14).

In regard to claim 5, Le discloses wherein the external shape and dimensions of the circuit card when the cover is in its first position also follows the SD memory card standard (see col. 5, lines 5-14).

In regard to claim 6, Le discloses wherein the second set of contacts is also carried by an outside surface of the card (see figure 7).

In regard to claim 7, Schnell et al. disclose wherein the cover is rotatably connected with the card through a pair of double-axis hinges 56 (see figure 2, col.

4, line 58 through col. 5, line 17). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Schnell et al. within the system of Le because it would optimize guiding geometry which reduce longitudinal dimension.

In regard to claim 8, Le discloses wherein the cover is rotatable by one-hundred eighty degrees between the first and second positions (see figure 4b).

In regard to claim 9, Le discloses wherein the axis of rotation is positioned between the first and second sets of contacts (see figure 4b).

In regard to claim 10, Le discloses wherein the axis of rotation moves with respect to the card as the cover is rotated between the first and second positions (see figure 4b).

In regard to claim 22, Le discloses a method of transferring data between a first host having a first receptacle for receiving and connecting with a first set of circuit card contacts 65 according to a first circuit card 76 published standard and a second host having a second receptacle for receiving and connecting with a second set of circuit contacts 64 according to a second circuit card published standard 74 (see figure 7), wherein the first and second sets of contacts are physically incompatible with each other and the formats of at least some of the signals communicated therethrough are also incompatible with each other (see figure 7, col. 8, lines 53-61), comprising: providing a memory circuit card containing re-programmable non-volatile memory 72 that is accessible for transfer of data therewith through either of the first and second sets of circuit card contacts externally positioned thereon at spaced apart locations of a surface along a length of the card (see figure 7) and with a cover 39 positioned over the first set of memory circuit card contacts when closed (see figure 4b), rotating the cover away

from the first set of circuit card contacts to expose them, thereafter inserting the first set of circuit card contacts into the first receptacle of the first host, thereafter transferring data from the first host into the memory of the memory circuit card through the first set of circuit card contacts, thereafter removing the first set of circuit card contacts from the first host, thereafter rotating the cover back into position covering the first set of circuit card contacts, thereafter inserting the second set of circuit card contacts into the second receptacle of the second host, and thereafter transferring the data from the memory of the memory circuit card into the second host through the second set of circuit card contacts (see col. 9, lines 38-65). But Le does not specifically disclose a cover positioned rotatable about an axis extending across a width of the card. However Schnell et al. disclose a cover 17 carried by the card and rotatable by hand between at least first (i.e. open) and second positions (i.e. closed) about an axis extending across a width of the card (see figure 1, col. 3, lines 22-64). Therefore, it would have been obvious to a person of an ordinary skill in the art at the time the invention was made to have combined the teachings of Schnell et al. within the system of Le because it would optimize guiding geometry which reduce longitudinal dimension.

In regard to claim 23, Le discloses wherein the second set of contacts of the memory card being provided conforms to the SD memory card standard (see col. 5, lines 5-14) and the memory card has a shape when the cover is closed that is in accordance with the SD memory card standard (see col. 5, lines 5-14).

In regard to claim 24, Le discloses wherein the first set of contacts of the memory card being provided to conform to the USB standard (see col. 8, lines 53-60).

***Response to Amendment***

5. Applicant's arguments, see on pages 6-7, filed on July 7, 2006, with respect to the rejections of claims 1-10, 22-24 under 35USC102/103 have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Schnell et al.

***Conclusion***

6. All claims are rejected.

7 Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Raymond Phan, whose telephone number is (571) 272-3630. The examiner can normally be reached on Monday-Friday from 6:30AM- 4:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mark Rinehart can be reached on (571) 272-3632 or via e-mail addressed to mark.rinehart@uspto.gov. The fax phone number for this Group is (571) 273-8300.

Communications via Internet e-mail regarding this application, other than those under 35 U.S.C. 132 or which otherwise require a signature, may be used by the applicant and should be addressed to [raymond.phan@uspto.gov].

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Any inquiry of a general nature or relating to the status of this application should be directed to the TC 2100 central telephone number is (571) 272-2100.



***Raymond Phan***  
***September 29, 2006***